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Presentation of Phil Isenberg to the

Senate Select Committee on Delta Stewardship & Sustainability
Contra Costa County Board Chambers
Martinez, California

Informational Hearing: *The Next Decade in the Delta*

Chair, Members, it is an honor to be here to talk about near-term actions in the Delta.

You were right to assign the major focus of this hearing to the 42 project recommendations of the *Coalition to Support Near Term Delta Projects* (Coalition).

The Council likes the Coalition process a lot. We urge that it continue in the hope of finding other areas of agreement. It started with a letter from several prominent Delta area water agencies, and signed by the Metropolitan Water District of Southern California, and Westlands Water District! These folks do not normally find themselves agreeing on much of anything.

Sometimes, odd coalitions of groups can help clear a political thicket, and allow policy-makers to move ahead on larger questions. The diversity of the Coalition, tied to a plausible and prudent package of near-term actions, could be another rare example of that opportunity.

For me, the Coalition process smells like part of a possible 'deal' --- one that might improve the reliability of our current water supply system, improve the Delta ecosystem, and perhaps even convince skeptics in the Delta that some construction projects based on statewide interests are worth doing.

The Council believes that if we start doing a few of the things that are possible, and consistent with the coequal goals, it might be an illustration that rational water policy-making is possible. Near term actions could be the way we start applying our new state policy, including the increased role of science, and the need for a system of government decision-making far better than the current version that passes around authority between 200 federal, state, and local agencies.

No, we are not suggesting that BDCP, or any other current effort, be put on hold while a test run is made of near-term actions. There is a very long time between completing a BDCP plan, and actually starting construction. Maybe very large projects are such that even big deals like BDCP might learn some useful things from a well-run, legally expedited, near-term action package.

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– CA Water Code §85054

The need for near-term actions

Start with the basics:

- **Reconciling a scarce water supply, growing demand and the need to reverse environmental damage is hard to do, but necessary.** Our statewide water supply is relatively static, the demand for water is growing, and we are legally and morally obligated to correct much of the damage done to the Delta ecosystem by past water projects.
- **The current Delta water conveyance is old and creaky.** It does not operate efficiently, and it can cause severe damage to the Delta ecosystem and its native species. Regional interests and politics have led to policy deadlock, and fragmented decision making by courts. If you like the status quo, then be sure to oppose any change.
- **Environmental restoration takes time.** Thousands of acres of Delta land must be restored and protected, if there is any hope of a more reliable water export system, let alone a good ecosystem. These efforts take decades and we cannot and should not wait until completion of BDCP or any other planning effort: we must start now.
- **Using available funds is the only way to move fast.** Waiting for voter approval of the 2014 bond, or waiting for a perfect BDCP, is like waiting for Godot. In California, there are no miracles around the corner. Let's be serious about how much money is realistic.
- **Start somewhere and show we can do something.** We all talk a good game about water and the Delta ecosystem, but we are not very good about playing that game. A focused list of near-term actions, consistent with the coequal goals, and utilizing existing funds from all of the interested parties, just might be doable.
- A higher level of scientific involvement and a new governance structure reflecting the coequal goals can and should be tested in a near-term action plan.

In July 2012, speaking of the Bay Delta Conservation Plan, Governor Jerry Brown, US Interior Secretary Ken Salazar, and Deputy NOAA Eric Schwaab said **“Science will now guide how to best restore the ecosystem and how much water can be exported.”**

This comment was dramatic and clear. But how will it be achieved? Near-term actions seem to me to be the perfect place to test the science and governance structure. If it works for near-term actions, then it may well be applied in other activities of federal, state, and local agencies.

The Delta Stewardship Council and near-term actions

As directed by legislation, the Council spent almost six months in 2010 trying to determine the status of “early actions,” specific projects deemed worthy of implementation by the Legislature (Water Code Sec. 85085). It will surprise no one to learn that almost no project is “shovel-read” as the phrase goes, and almost no project has guaranteed funding. The Coalition went through the same process.

The Delta Stewardship Council strongly supports near-term actions, but we recognize the need to make our recommendations of value to all the governmental agencies asked to pay the bill. Either late this year, or early 2013, we will have our general outline of near-term actions.

Our near-term action proposal is certain to have some overlap with the Coalition list. However, we hope to put a fence around unreasonable expectations, and provide an array of actions that might make sense to policy makers.

The DSC will likely set a total dollar limit on spending for near-term actions. Personally, I think that \$1.0-\$1.5 billion over the next ten years is the largest amount possible, but we are still talking about this question. For a rational person, of course, even the amount suggested sounds staggering, but it is “modest” once we understand that the annual federal, state, and local government spending for water and wastewater in California is about \$26 billion (\$20 billion operation; 6 billion capital construction).

The DSC will attempt to structure its recommendations so that they constitute a coherent plan. Adding together disparate projects is essential, but it does not guarantee that a coherent near-term plan is anything other than a list of desired projects.

The DSC will insist on financial participation by all benefited parties. We will not recommend that the State of California carry the entire burden. This seems obvious given the current national financial problems, but it is a valuable and sobering addition in good economic times, or bad.

The DSC will likely recommend that state funds for near-term projects come from existing funding sources. This is always controversial, but necessary if you want to see anything done to solve statewide near-term problems.

Our approach will be governed by the coequal goals. Many months ago we commented to the Bay-Delta Conservation Plan, that the coequal goals can only be achieved in BDCP ecosystem restoration if the activities occur concurrently, in comparable amounts of money, and be actually funded.

What is the DSC thinking about in terms of a package approach to near-term actions?